

COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

In Re: Arnard M. Walker

PSPC Docket No. DI-92-14

MEMORANDUM AND ORDER

On June 19, 1992, the Department of Education (Department), through its Office of Higher Education, filed a Notice of Charges with the Professional Standards and Practices Commission (Commission) pursuant to section 13(a) of the Teacher Certification Law, as amended, 24 P.S. §12-1263(a). In its notice of charges, the Department has alleged that the respondent, Arnard M. Walker, holds an Instructional I teaching certificate endorsed in elementary education and mentally retarded education and that the certificate was issued by the Department in December 1975. Further, the Department has alleged that on November 29, 1990, it received notification that the respondent's New Jersey teaching certificate had been revoked on September 13, 1990. Thereafter, on July 29, 1991, the Department's Bureau of Teacher Preparation and Certification received a packet of information from the New Jersey Department of Education documenting New Jersey's basis for revoking the respondent's teaching certificate. Based upon the information received, the Bureau of Teacher Preparation and Certification

filed with the Department a formal complaint based upon New Jersey's revocation of the respondent's certificate.

The Department contends that the facts which form the grounds for New Jersey's revocation of the respondent's certificate constitute immorality, incompetency, intemperance and cruelty as provided under section 5(a)(11) of the Teacher Certification Law, as amended, 24 P.S. §12-1255(a)(11). In addition, the Department avers that the respondent is a danger to the health, safety and welfare of the students in the schools of this Commonwealth. Based upon the allegations, the Department recommends that disciplinary action be taken by the Commission.

On August 10, 1992, the Department filed with the Commission a Motion for Judgment on Default. In its motion, the Department avers that it issued its notice of charges to the respondent on June 19, 1992, that the respondent received the notice of charges on June 24, 1992 by certified mail, and that the respondent has not filed an answer within the 30-day time period prescribed by section 13(a) of the Teacher Certification Law, as amended, 24 P.S. §12-1263(a), and the instructions set forth in the notice of charges. Therefore, pursuant to 1 Pa. Code §35.37, the Department contends that the respondent is in default and requests that the Commission deem as admitted the factual allegations contained in the notice of charges. The Department requests that the Commission direct the Department to revoke the respondent's professional certificate based upon

immorality, incompetency, intemperance and cruelty and find that the respondent is a danger to the health, safety and welfare of the students in the schools of this Commonwealth.

By letter dated August 12, 1992, the Commission notified the respondent and the Department that the Commission would hold a closed meeting to consider whether, under section 5(a)(11) of the Teacher Certification Law, the Commission should discipline the respondent. The Commission informed the respondent and the Department that the meeting would occur on September 10, 1992 at 2:30 P.M. in the Heritage Room B at 333 Market Street in Harrisburg, PA. The respondent did not file an answer to the Department's motion for judgment on default and did not appear before the Commission at its closed meeting on September 10, 1992.

After due consideration of the Department's motion for judgment on default, and upon majority vote of its members, the Commission has determined that the respondent's professional teaching certificate should be revoked. Therefore, the following order shall be entered:

ORDER

AND NOW, this 10th day of September, 1992, upon consideration of the Department's Motion for Judgment on Default filed in the above-captioned matter, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the Department of Education shall REVOKE the professional teaching certificates of the respondent, Arnard M. Walker, and that the revocation shall occur immediately since the respondent is deemed to

have admitted that he is a danger to the health, safety and welfare of the students of this Commonwealth. The Department shall notify the appropriate school officials and entities pursuant to 22 Pa. Code §49.64f.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By:

Howard R. Selekman
Howard R. Selekman
Chairperson

Attest:

Warren D. Evans
Warren D. Evans
Executive Director